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International Convention for the Protection of All Persons from Enforced Disappearance

Report of the Secretary-General

Summary

In resolution 69/169, the General Assembly requested the Secretary-General to submit to it, at its seventieth session, a report on the status of the International Convention for the Protection of All Persons from Enforced Disappearance and the implementation of the resolution. The present report is submitted in accordance with that request.

In a note verbale dated 25 March 2015, the Secretary-General invited Governments to transmit any information pertaining to the implementation of resolution 69/169. Replies have been received from the Governments of Argentina, Burkina Faso, Colombia, Cuba, Lebanon, Paraguay, Serbia, Slovakia, Spain, and Switzerland. Their responses are summarized in the present report.

The present report also includes information on the activities carried out in relation to the implementation of the resolution by the Secretary-General, the United Nations High Commissioner for Human Rights and his Office, the Committee on Enforced Disappearances, the Working Group on Enforced or Involuntary Disappearances and intergovernmental and non-governmental organizations.

* A/70/150.

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I. Introduction

1. In its resolution 69/169, on the International Convention for the Protection of All Persons from Enforced Disappearance, the General Assembly requested the Secretary-General to submit to it, at its seventieth session, a report on the status of the Convention and the implementation of the resolution. The present report is submitted in accordance with that request.

2. On 25 March 2015, the Secretary-General invited Member States to transmit relevant information pertaining to the implementation of the resolution. As at 22 July 2015, replies were received from the Governments of Argentina, Burkina Faso, Colombia, Cuba, Lebanon, Paraguay, Serbia, Slovakia, Spain, and Switzerland. The Secretary-General also sent requests for information on the implementation of the resolution to specialized agencies, United Nations funds and programmes, and civil society organizations. The Secretary-General received submissions from Amnesty International, the International Coalition against Enforced Disappearances, and TRIAL (Swiss Association against Impunity). Their responses are summarized in the present report.

II. Status of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance

3. As at 22 July 2015, 94 States have signed and 47 have ratified or acceded to the Convention; 18 States have recognized the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of individuals subject to its jurisdiction claiming to be victims of a violation by the State party of provisions of the Convention (article 31); and 19 States have recognized the competence of the Committee to receive and consider communications in which a State party claims that another State party is not fulfilling its obligations under the Convention (article 32). Updated information on the status of ratification of the Convention may be found in the annex to the present report.

III. Replies received from States

4. Summaries of the replies of States relating to the implementation of resolution 69/169 are provided below.

Argentina

[Original: Spanish]
[15 May 2015]

5. Argentina took the lead in the draft of the Convention as well as in its negotiation and was the second State to ratify it on 14 December 2007. The Convention was approved through Law 26.298. Argentina singles out, as one of its main contributions to the draft of the Convention, the prevention and punishment of the wrongful removal of children who are subjected to enforced disappearance, the re-establishment of their identity and the restitution to their family of origin.

6. Argentina states that the Working Group on Enforced or Involuntary Disappearances held its 105th session in the Site for Memory and for Human Rights, in Buenos Aires. On this occasion the Ministry for Human Rights organized a panel discussion with the participation of the Ministry for Human Rights, the Chair of the Working Group, the President of the non-governmental organization (NGO) Abuelas de Plaza de Mayo, a representative of the Madres de Plaza de Mayo Linea Fundadora and the President of the Asociación de Familiares de Desaparecidos y Detenidos por razones politicas.

7. The National Commission for the Right to Identity continues the search for children of victims of enforced disappearance and its collaboration with the National Genetic Data Bank.

Burkina Faso

[Original: French]
[2 July 2015]

8. Burkina Faso ratified the Convention on 3 December 2009, translating the will of Burkina Faso to prevent and repress the crime of enforced disappearance and to reinforce existing laws and regulations in the area of human rights. Burkina Faso has not recognized the competence of the Committee under articles 31 and 32; however, Burkina Faso stands ready to cooperate with the Committee for the protection of all persons against enforced disappearances. Burkina Faso requested and obtained assistance from the West African Regional Office of the Office of the United Nations High Commissioner for Human Rights for the validation of the report submitted to the Committee in 2014. Burkina Faso organized training sessions on the Convention addressed to the judiciary in Ouagadougou and Bobo Dioulasso. The same activity is foreseen in 2015 in other places in Burkina Faso.

Colombia

[Original: Spanish]
[8 June 2015]

9. Colombia approved the ratification of the Convention through Law 1418 of 1 December 2010; following the constitutional check, the Constitutional Court declared the law executable in June 2011 through Judgment C-620. The Convention was ratified on 11 July 2012 and entered into force on 10 August 2012.

10. Before the ratification of the Convention, article 12 of the Political Constitution of 1991 already determined that "no one shall be submitted to enforced disappearance, torture or cruel, inhuman or degrading treatment". Accordingly, Colombia adopted a series of legislative and institutional measures to prevent, investigate, prosecute, punish and provide reparation for the consequences of the crime of enforced disappearances. Some of the most important measures are: (a) article 165 of the Criminal Code which defines the conduct of enforced disappearance in wider terms than the Convention as it can be committed by any individual and not only by a state official; (b) Law No. 589 of 2000, which established the National Register of Disappeared, the Commission for the Search of Disappeared Persons, and the Urgent Search Mechanism; (c) No. 971 of 2005, which established the right of the families of victims of enforced disappearance to

participate in the activities of the Urgent Search Mechanism; (d) Law 1408 of 2010 which pays a tribute to the victims of enforced disappearance and defines the tools for their localization and identification; (e) and Law 1448 of 2011 which establishes the right of the victims of enforced disappearance to receive information from the competent institutions on their rights relating to the search, the exhumation and the identification of victims. Colombia also regulated the instances and mechanisms for the prevention of the crime through several decrees, resolutions, circulars and other means of sensitization of public officers.

11. Colombia ratified the Convention on 11 July 2012 without making any reservation or declaration. Through ratification, the State party agreed to the competence of the Committee to receive and examine requests for urgent actions under article 30 of the Convention, but it did not accept the competence of the Committee under articles 31 and 32. Colombia considers that the recommendations based on article 30 do not imply a decision on the merits of the case, and therefore do not determine if the State party in question is responsible internationally for the violation of its obligations under the Convention.

12. The commitment of the United Nations system for the fight against enforced disappearance has been invaluable in Colombia. Several agencies such as the Office of the High Commissioner for Human Rights, the United Nations Development Programme, the United Nations Office on Drugs and Crime, among others, provided technical assistance to: establish interaction with the families of victims and the governmental agencies; purchase the technology for the strengthening of the National Register of the Disappeared; support the process of identification and documentation of cases; assist in the recovery of remains from cemeteries; and train officials on the situations that may be conducive to enforced disappearance.

Cuba

[Original: Spanish]
[23 April 2015]

13. Cuba has been a State party to the Convention since 2 February 2009. It continually evaluates the possibility of accepting the procedures in articles 31 and 32 of the Convention which Cuba observes are optional. Cuba has not requested or received any assistance from the Secretary-General, the High Commissioner for Human Rights or any organ of the United Nations, any intergovernmental or non-governmental organization or the Working Group on Enforced or Involuntary Disappearances in relation to enforced disappearances or any aspect of the application of the Convention given that such assistance has not been necessary since the revolution of 1959. Through its internal and external policies, Cuba indicates in its response that it puts into practice the respect for the physical and moral integrity of the individual which allows it to ensure that there have been no cases of disappearances, torture, or secret detention with the exception of the illegally occupied United States Naval base in Guantanamo. Cuba notes that its legal system establishes not only the basic universally recognized legal guarantees relating to human rights, but also offers concrete guarantees for the real and effective exercise of all human rights, civil and political, as well as economic, social and cultural rights.

Lebanon

[Original: Arabic]
[29 June 2015]

14. Lebanon has not ratified the Convention but is finalizing the legal steps required to do so. Lebanon states that two successive Governments have issued declarations to the effect that they will ratify the Convention. However, the principal obstacle that has prevented the ratification is the lack of any decisive political will. The Council of State on 4 March 2014 issued a decree obliging the Government to release the entire file pertaining to the inquiries conducted by the official investigation commission, set up in 2000 to look into the fate of abductees, missing and prisoners in Syrian and Israeli prisons and of disappeared persons. Other practical obstacles, which have potential legal implications, include: difficulties faced by the relatives of the disappeared persons; lack of psychosocial support; complexity of administrative procedures; freeze of financial assets of disappeared persons and difficulties in identifying the heirs; and the compensation that victims and relatives are entitled to demand.

15. Lebanon states that the assistance received is not directly related to the ratification of the Convention but to creating a favourable climate wherein civil society actors and NGOs can apply pressure so that this controversial issue can be tackled. Lebanon received assistance from: (a) the International Committee of the Red Cross that received a copy of the official file of the investigations conducted by the Lebanese Government and that launched in January 2015 a programme to help the relatives of disappeared persons in the district of Sidon and aims at collecting DNA samples of the families interviewed; (b) the National Agency for the Disappeared Persons that prepared a report containing the names of persons who are known to be still alive in the Syrian Arab Republic or Israel; (c) the Solide Association (Support of Lebanese in Detention and Exile); and (d) the Office of the High Commissioner for Human Rights in Geneva.

Paraguay

[Original: Spanish]
[3 June 2015]

16. Paraguay ratified the Convention and integrated it in its domestic legal system through Law No. 3977 of 10 May 2010. The Ministry for Foreign Affairs is promoting the acceptance of articles 31 and 32 of the Convention. A draft message will be presented to the National Congress, urging the approval of those articles. Through law No. 4614/12, the criminal offences of enforced disappearances and torture were modified in the Criminal Code in conformity with the definitions established by the respective Conventions. Paraguay underlines that its Criminal Code does not contemplate the hypothesis that the crime may be committed by individuals with the support, authorization or acquiescence of the State. Paraguay submitted its report to the Committee in compliance with article 29, paragraph 1, of the Convention, and had the constructive dialogue on 16 and 17 September 2014, following which the Committee adopted its concluding observations. In September 2015 Paraguay will present information on the follow-up given to the three priority recommendations highlighted by the Committee, and in 2020 will submit its next report to the Committee.

17. Paraguay, in coordination with the Human Rights Adviser of the Office of the High Commissioner for Human Rights, implemented the Recommendations Monitoring System. The purpose of this tool is to access updated and systematized information on the action that the State is taking to implement the recommendations on human rights made to Paraguay; this virtual platform is available from the website of the Ministry for Foreign Affairs. Every institution, responsible for the implementation of the recommendations, generates in the system a follow-up report that the Ministry for Foreign Affairs compiles for its presentations to the treaty bodies. The Committee on Enforced Disappearances welcomed the launch of the Recommendations Monitoring System; the fact that Paraguay ratified all the core United Nations human rights treaties and almost all the optional protocols thereto, as well as the Rome Statute of the International Criminal Court and the Inter-American Convention on Forced Disappearance of Persons. The Committee also welcomed the establishment of the non-applicability of statutory limitations to the offence of enforced disappearance in the National Constitution and the establishment of the National Mechanism for the Prevention of Torture and the commencement of its work.

Serbia

18. Serbia stated that it has not received any assistance in the understanding and implementation of the obligations under the Convention from the United Nations, the Working Group on Enforced or Involuntary Disappearances, nor from other international organizations or NGOs.

Slovakia

19. Slovakia ratified the Convention on 15 December 2014 and accepted the competence of the Committee under articles 31 and 32.

Spain

[Original: Spanish]
[14 July 2015]

20. Spain ratified the Convention on 24 September 2009 and it entered into force on 23 December 2010. In compliance with article 29 of the Convention, Spain submitted its report to the Committee on Enforced Disappearances in December 2012 and held the constructive dialogue in November 2013. Spain promoted the ratification of the Convention among other States, in particular through the formulation of recommendations in that sense during the Universal Periodic Review. Spain observed that there is a slowing down in the rate of ratifications of the Convention and that the interpretation by the Committee on Enforced Disappearances on its temporal competence, which was elaborated during the review of Spain in November 2013 on the one hand brings up the issue of ratifications in the past two years and the additional problem of the policy and promotion of the ratification of the Convention.

21. In fact, in November 2013, the Committee issued a declaration on its temporal competence which, despite the literal wording of article 35 of the Convention,

restricts the application of the article exclusively to individual communications and interprets the temporal competence of the Committee in an extensive manner, extending it to the past up to an unspecified limit. This interpretation is contrary to the literal wording of article 35 of the Convention as the limitation of the competence of the Committee, not only with regard to individual communications but in general, was clear throughout the preparatory work for the Convention.

22. The declaration of the Committee about its competence ratione temporis is also contradictory with the declarations made by the Committee when promoting ratification of the Convention among Members States. The interpretation adopted by the Committee may provoke a slowdown in the process aimed at achieving universal ratification of the Convention, a process in which Spain has been particularly active.

23. The extensive interpretation of the Committee about its ratione temporis competence also means duplication of effort and a clear overlapping with the work of other human rights organs, and in particular the Working Group on Enforced or Involuntary Disappearances. The duplication and overlapping also mean increasing efforts and costs that are not unlimited and, more importantly, the attention that the Committee devotes to the examination of past events, is at the detriment of the prevention of enforced disappearance and of current cases of enforced disappearance.

24. This interpretation of the Committee has not been homogenous in relation to all States examined to date and a clear criterion does not exist to determine whether the competence ratione temporis extends unlimitedly to the past. This introduces a disturbing effect of legal uncertainty which is not appropriate for the human rights international legal framework. Moreover, it is commonly understood that the competence of United Nations organs never extends to events that took place before the existence of the Organization.

25. This discrepancy regarding the temporal competence of the Committee has not prevented Spain from continuing to cooperate with it and addressing all the issues it raises, including those which, according to the literal interpretation of article 35 of the Convention, would be outside the competence of the Committee.

26. Nonetheless, Spain considers that this interpretation of the Committee of its own competence poses, on the one hand, a matter of legal uncertainty that could be the origin of the slowdown in the rate of ratifications as observed in the last two years and, at the same time, it could create an additional difficulty in the promotion of ratification of the Convention.

Switzerland

[Original: French]
[22 May 2015]

27. Switzerland joins international efforts in the area of prevention and repression of enforced disappearances. Switzerland signed the Convention on 19 January 2011. Its implementation requires some legal amendments specifically in relation to the explicit prohibition of the crime of enforced disappearance and the implementation of rights to information and remedy for individuals close to victims. The consultation process concerning the ratification of the Convention took place in spring 2013 and allowed civil society to have input into the future implementation of the Convention. On 29 November 2013 the Federal Council adopted a message

concerning ratification of the Convention which was transmitted to Parliament. In its message to Parliament, the Federal Council proposes that Switzerland recognize the competence of the Committee under articles 31 and 32. The recognition of these competences by the largest number of States, including Switzerland, contributes to the improvement of human rights all over the world. The dossier was examined in February 2015 by a first parliamentary commission. The two chambers of the Parliament should continue dealing with this subject during the course of 2015.

IV. Activities of the Secretary-General and the United Nations High Commissioner for Human Rights

28. In paragraph 4 of its resolution 69/169, the General Assembly requested the Secretary-General and the United Nations High Commissioner for Human Rights to increase their intensive efforts to assist States in becoming parties to the Convention, with a view to achieving universal adherence.

29. The International Convention for the Protection of All Persons from Enforced Disappearance has been highlighted during all treaty-related events organized by the United Nations in New York since 2007, to promote accession or ratification and implementation. The Convention is also part of the treaty event for 2015.

30. In February 2015, the Secretary-General, in his report on the situation of human rights in the Islamic Republic of Iran welcomed the engagement of the State with United Nations treaty bodies and urged it to ratify the Convention (A/HRC/28/26, para. 62).

31. The Secretary-General delivered a message on 30 August 2014, on the occasion of the International Day of the Victims of Enforced Disappearances. He noted that the Convention provides a sound foundation for fighting impunity, protecting disappeared persons and their families and strengthening the guarantees provided by the rule of law — including investigation, justice and redress. The Secretary-General urged all Member States to sign and ratify the Convention without delay to strive for its universal ratification and a final end to all enforced disappearances.

32. OHCHR pursues its efforts to combat enforced disappearances and to achieve universal ratification of the Convention under the thematic priorities of "violence and insecurity" and "support for human rights mechanisms" as set out in the Office Management Plan for 2014-2017. Efforts focus on supporting States' actions to ratify the Convention and providing training and capacity-building to States and civil society, as well as raising awareness about the Convention.

33. The High Commissioner has undertaken some specific activities over the period from July 2014 to June 2015. In a series of statements and press releases the High Commissioner made reference to allegations of enforced disappearance in the Syrian Arab Republic,[1] Ukraine,[2] the Central African Republic[3] and Myanmar.[4]

34. In January 2015, the High Commissioner urged Guatemala to implement the recommendations made in the previous report (A/HRC/28/3/Add.1, para. 98) which

[1] http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15584&LangID=E.
[2] http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15627&LangID=E.
[3] http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16025.
[4] http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16076&LangID=E.

included the ratification of the Convention as a guarantee of non-recurrence of past violations (A/HRC/25/19/Add.1, para. 6).

35. In March 2015, the High Commissioner recommended to the Government of South Sudan and to the Sudan People's Liberation Movement-in-Opposition (SPLM/A-IO) and other armed actors to immediately cease fighting and all forms of violence, and refrain from committing human rights violations and violations of international humanitarian law, including enforced disappearances (A/HRC/28/49, paras. 59 and 63).

36. OHCHR Colombia supported the Attorney General's Office in providing forensic and psychological assistance to the families of two persons disappeared in 2007. On the occasion of the restitution of the remains of the disappeared persons to their families, in December 2014, OHCHR Colombia issued a press release which highlighted the importance of this search and recovery process. It also called for the need to speed up investigations and the search for persons who have been disappeared or extrajudicially executed.

37. In Mexico, OHCHR has been following and supporting, where appropriate, the drafting process of laws on enforced disappearance. Since the 2002 adoption of federal legislation prohibiting enforced disappearance, 26 of Mexico's 32 states have included similar provisions in their criminal codes. OHCHR provided authorities, NGOs and relatives with technical assistance on how to adopt a legal framework on enforced disappearance and in order to promote the establishment of a national mechanism to search for disappeared and missing persons. In particular, OHCHR Mexico supported through a series of workshops, forums and discussions, and with technical assistance the state of Coahuila to adopt a declaration of absence due to enforced disappearance, which allows the family of the victims to address the legal situation including in relation to social welfare, financial matters, family law and property rights.

38. OHCHR has also encouraged the withdrawal of reservations to international treaties, including in relation to the scope of military jurisdiction on cases of enforced disappearance.

39. OHCHR submitted an opinion paper to the Supreme Court on the international human rights standards applicable to the *arraigo*, a form of preventive detention, which was taken into account in the Court's judgment on the subject. The Supreme Court of Mexico declared that federal judges must accept any appeal against the figure of *arraigo* in Mexican states and that their rulings must recognize *arraigo* as unconstitutional.

40. The Office also undertook numerous efforts to publically raise the issue of enforced disappearance, including through press releases, declarations in the media, participation in commemorative activities and the elaboration and dissemination of relevant materials.

41. The year 2014 was also marked by emblematic cases of grave human rights violations in Mexico, namely the disappearance of 43 students from Ayotzinapa, Guerrero, and extrajudicial killings that occurred during a military operation in Tlatlaya, Mexico. OHCHR has documented both cases and engaged with Mexican authorities, victims and NGOs.

42. OHCHR Tunisia facilitated training courses for State authorities and provided technical advice regarding the report submitted by the State party to the Committee on Enforced Disappearances.

43. In Ecuador, the Human Rights Adviser facilitated the participation of civil society organizations in the drafting process of two State party reports for the Committee on Enforced Disappearances.

44. In Paraguay the Human Rights Advisers provided assistance to a national network of human rights organization Coordinadora de Derechos Humanos del Paraguay (CDEHUPY) in the submission of an alternative report to the Committee on Enforced Disappearances.

45. In the Niger, the Human Rights Adviser within the United Nations country team advocated the Niger's ratification of the Convention. During 2014, the Government of the Niger approved the draft law for the ratification and the bill was forwarded to the National Assembly for adoption.

46. The OHCHR Regional Office for South America has encouraged civil society organizations to submit alternative reports to the Committee on Enforced Disappearances. With the assistance of OHCHR's advocacy, which included awareness-raising, training on reporting and dissemination of the Committee's reporting guidelines, four Argentine civil society organizations submitted alternative reports to the Committee for its review of Argentina in November 2013.

47. The OHCHR Regional Office for West Africa assisted the three ministries in Burkina Faso that are in charge of State reporting in harmonizing their procedures. The Office also provided technical support in the preparation of all reports drafted in 2014, including the one to the Committee on Enforced Disappearances.

48. The OHCHR Regional Office for Southern Africa assisted Angola in the preparations for the signature of the Convention and Togo in the ratification of the Convention.

49. The United Nations Voluntary Fund for Victims of Torture has awarded grants to a number of non-governmental entities providing assistance to families of victims of enforced disappearances and/or documenting cases of enforced disappearance in line with the relevant provisions of the Convention. For example, in Mexico, the Fund supports a project aiming at providing legal aid to the families of migrant victims of enforced disappearances in border areas. In Argentina, another project continues to be supported by the Fund with the aim of delivering psychological, social and legal services, including DNA tests, to the families of victims of enforced disappearances. In Morocco, the Fund supports a project which provides medical and psychosocial assistance to family members of victims of enforced disappearances.

V. Activities of the Committee on Enforced Disappearances

50. During the reporting period, the Committee took several steps to promote ratification and implementation of the Convention and has maintained its dialogue with the Working Group on Enforced or Involuntary Disappearances and with other relevant mechanisms and stakeholders. A detailed compilation of the activities of

the Committee can be found in its annual report to the General Assembly at its seventieth session (A/70/56*).

51. The Committee on Enforced Disappearances registered 51 urgent actions and interim and protection measures were requested in 45 of these cases.

52. In all his public statements, the Chair of the Committee, Emmanuel Decaux, promotes the ratification of the Convention and stresses that it should be followed by its transposition in the domestic legal order and its implementation. He also invites States parties that have not done so to accept the competence of the Committee under articles 31 and 32 of the Convention.

53. The Committee met twice with Member States at public meetings on 18 September 2014 and 5 February 2015. The Committee invited States parties to the Convention which have not yet submitted their reports, and States which have neither signed nor ratified the Convention to do so, and encouraged all States to accept the Committee's competence under articles 31 and 32. In addition, the Chair updated States on the work of the Committee.

54. On 17 September 2014, the Working Group on Enforced or Involuntary Disappearances, jointly with the Committee, issued a statement on the occasion of the fourth meeting between the two bodies.[5] The members of the two bodies highlighted the need to continue working collectively to achieve universal adherence to the Convention and recognition of the competence of the Committee under articles 31 and 32. Both expert bodies also exchanged information on past activities, including on country visits and the review of State parties, and agreed on continuous cooperation to coordinate their agendas, including on thematic priorities.

55. The Committee also met, on 18 September 2014 and 5 February 2015, with representatives of NGOs and associations of victims to discuss general matters relating to the promotion and implementation of the Convention. The Committee welcomed the support of NGOs in relation to encouraging States to ratify the Convention and underlined the importance of close cooperation in raising awareness.

56. During the reporting period, the Committee, through its secretariat, continued to send reminders to States parties whose reports were overdue to encourage prompt submission, bringing to their attention the guidelines on the form and content of reports under article 29 to be submitted by States parties to the Convention (CED/C/2).

VI. Activities of the Working Group on Enforced or Involuntary Disappearances

57. On 8 August 2014, the Committee on Enforced Disappearance and the Working Group issued a joint statement, together with two other special procedures mechanisms welcoming the reunion of Estela de Carlotto (President of the Argentinian human rights organization Abuelas de Plaza de Mayo) with her grandson after 36 years. The experts also urged full support for families of the disappeared around the world.

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* To be issued.

[5] http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14010&LangID=E.

58. On 30 August 2014, on the occasion of the Day of the Victims of Enforced Disappearances the Committee on Enforced Disappearance and the Working Group issued a joint statement. They called on States to remove all obstacles and to aid investigations into the fate of disappeared persons. The experts stressed that States need to ensure that relatives, their representatives have full and prompt access to national, regional and international mechanisms aimed at establishing the truth on the disappearances. This goes beyond removing obstacles to accessing these mechanisms and includes the active promoting and facilitation of their use. For example, it is crucial to make adequate use of all available technological tools and scientific techniques.

59. On 17 September 2014, the fourth annual meeting of the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances took place in Geneva. During the meeting, the members of the two bodies continued discussions on the complementarity of their procedures. They highlighted the need to continue to make their coordination of activities more effective with a view to strengthen efforts to combat enforced disappearances with a victim-centred perspective. They also exchanged information on past and forthcoming activities, including on country visits and the review of States parties, and agreed on continuous cooperation to coordinate their agendas. The experts identified as thematic priorities for their joint work the relationship between economic, social and cultural rights and enforced disappearances; the acts of non-state actors that are tantamount to enforced disappearances; and the strategies for the search of the disappeared persons.

60. In August 2014, in its report to the Human Rights Council, the Working Group reiterated its calls upon States that have not signed and/or ratified the International Convention to do so as soon as possible and to accept the competence of the Committee on Enforced Disappearances to receive individual cases under article 31, and inter-State complaints under article 32 of the Convention (A/HRC/27/45, para. 21). The Working Group uses every opportunity to promote the ratification of the Convention, including during visits undertaken to different States and bilateral meetings held with its representatives.

VII. Activities of United Nations agencies and organizations, intergovernmental and non-governmental organizations

61. A number of intergovernmental and non-governmental organizations have undertaken efforts at the national, regional and global levels to disseminate information on the Convention, promote understanding of it, prepare for its entry into force and assist States parties in implementing their obligations under this instrument.

62. Regarding civil society, Amnesty International indicated that it had submitted to the attention of the Committee on Enforced Disappearances the second edition of its *Fair Trial Manual*, which contains a number of recommendations for States in order to guarantee that trials before national courts are fair and, in particular, that military courts do not have competence to prosecute those suspected of criminal responsibility for enforced disappearance. In addition, Amnesty International also provided briefings to the Committee in relation to its reviews of Mexico and Serbia,

and provided information in advance of the adoption of the list of issues on Iraq and Montenegro.

63. The International Coalition against Enforced Disappearances, which comprises 55 NGOs, has been globally promoting its mandate to lobby actively for universal ratification and implementation of the Convention, the recognition of the competence of the Committee on Enforced Disappearances under articles 31 and 32 of the Convention and the enactment of domestic laws that criminalize enforced disappearance. In July 2014, the Coalition organized the Third Psychosocial Conference in the Search for Truth and Justice for Victims of Enforced Disappearances, Torture and Extrajudicial Killings. The Coalition released statements on the occasion of the fourth anniversary of the entry into force of the Convention; of the International Day for the Victims of Enforced Disappearance in 2014; of the International Week of the Disappeared in 2015. TRIAL (Swiss Association against Impunity), which is a member of the International Coalition against Enforced Disappearances, has supported the work of the Committee by submitting alternative reports and other documents in relation to the country reviews of Mexico and follow-up to reviews in relation to France, Germany and Spain. TRIAL promoted the ratification of the Convention specifically in Burundi and Nepal. TRIAL has consistently referred to the Convention in relation to alternative reports it has submitted to other human rights treaty bodies and to allegations submitted to special procedures of the Human Rights Council. TRIAL is also litigating cases of enforced disappearance concerning different countries before the European Court of Human Rights and the Human Rights Committee, referring to the Convention as the highest standard in the field. TRIAL has collaborated with other civil society organizations on reports and publications related to treaty bodies. Representatives of TRIAL have also participated in a series of conferences and seminars on enforced disappearances over the reporting period.

VIII. Conclusion

64. **The Secretary-General strongly encourages all States that have not yet become parties to the International Convention for the Protection of All Persons from Enforced Disappearance to take the necessary measures to do so and to accept the competence of the Committee on Enforced Disappearances under articles 31 and 32 of the Convention. The Secretary-General and the United Nations High Commissioner for Human Rights will continue their intensive efforts to assist States in becoming parties to the Convention and in ensuring its full implementation.**

Annex

States that have signed, ratified or acceded to the Convention for the Protection of All Persons from Enforced Disappearance as at 22 July 2015

Participant	*Signature*	*Accession or ratification*
Albania[a]	6 February 2007	8 November 2007
Algeria	6 February 2007	
Angola	24 September 2014	
Argentina[a]	6 February 2007	14 December 2007
Armenia	10 April 2007	24 January 2011
Austria[a]	6 February 2007	7 June 2012
Azerbaijan	6 February 2007	
Belgium[a]	6 February 2007	2 June 2011
Benin	19 March 2010	
Bolivia (Plurinational State of)	6 February 2007	17 December 2008
Bosnia and Herzegovina[a]	6 February 2007	30 March 2012
Brazil	6 February 2007	29 November 2010
Bulgaria	24 September 2008	
Burkina Faso	6 February 2007	3 December 2009
Burundi	6 February 2007	
Cabo Verde	6 February 2007	
Cambodia		27 June 2013[b]
Cameroon	6 February 2007	
Chad	6 February 2007	
Chile[a]	6 February 2007	8 December 2009
Colombia	27 September 2007	11 July 2012
Comoros	6 February 2007	
Congo	6 February 2007	
Costa Rica	6 February 2007	16 February 2012
Croatia	6 February 2007	

Participant	*Signature*	*Accession or ratification*
Cuba[a]	6 February 2007	2 February 2009
Cyprus	6 February 2007	
Denmark	25 September 2007	
Ecuador[a]	24 May 2007	20 October 2009
Finland	6 February 2007	
France[a]	6 February 2007	23 September 2008
Gabon	25 September 2007	19 January 2011
Germany[a]	26 September 2007	24 September 2009
Ghana	6 February 2007	
Greece	1 October 2008	9 July 2015
Grenada	6 February 2007	
Guatemala	6 February 2007	
Guinea-Bissau	24 September 2013	
Haiti	6 February 2007	
Honduras	6 February 2007	1 April 2008
Iceland	1 October 2008	
India	6 February 2007	
Indonesia	27 September 2010	
Iraq		23 November 2010[b]
Ireland	29 March 2007	
Italy	3 July 2007	
Japan[a]	6 February 2007	23 July 2009
Kazakhstan		27 February 2009[b]
Kenya	6 February 2007	
Lao People's Democratic Republic	29 September 2008	
Lebanon	6 February 2007	
Lesotho	22 September 2010	6 December 2013
Liechtenstein	1 October 2007	
Lithuania[a]	6 February 2007	14 August 2013

Participant	*Signature*	*Accession or ratification*
Luxembourg	6 February 2007	
Madagascar	6 February 2007	
Maldives	6 February 2007	
Mali[a]	6 February 2007	1 July 2009
Malta	6 February 2007	27 March 2015
Mauritania	27 September 2011	3 October 2012
Mexico	6 February 2007	18 March 2008
Monaco	6 February 2007	
Mongolia	6 February 2007	12 February 2015
Montenegro[a]	6 February 2007	20 September 2011
Morocco	6 February 2007	14 May 2013
Mozambique	24 December 2008	
Netherlands[a]	29 April 2008	23 March 2011
Niger	6 February 2007	
Nigeria		27 July 2009[b]
Norway	21 December 2007	
Palau	20 September 2011	
Panama	25 September 2007	24 June 2011
Paraguay	6 February 2007	3 August 2010
Peru		26 September 2012
Poland	25 June 2013	
Portugal[a]	6 February 2007	27 January 2014
Republic of Moldova	6 February 2007	
Romania	3 December 2008	
Samoa	6 February 2007	27 November 2012
Senegal	6 February 2007	11 December 2008
Serbia[a]	6 February 2007	18 May 2011
Sierra Leone	6 February 2007	
Slovakia	26 September 2007	15 December 2014

Participant	*Signature*	*Accession or ratification*
Slovenia	26 September 2007	
Spain[a]	27 September 2007	24 September 2009
St. Vincent and the Grenadines	29 March 2010	
Swaziland	25 September 2007	
Sweden	6 February 2007	
Switzerland	19 January 2011	
Thailand	9 January 2012	
The former Yugoslav Republic of Macedonia	6 February 2007	
Togo	27 October 2010	21 July 2014
Tunisia	6 February 2007	29 June 2011
Uganda	6 February 2007	
United Republic of Tanzania	29 September 2008	
Uruguay[a]	6 February 2007	4 March 2009
Vanuatu	6 February 2007	
Venezuela (Bolivarian Republic of)[a]	21 October 2008	
Zambia	27 September 2010	4 April 2011

[a] States that have made declarations recognizing the competence of the Committee under articles 31 and/or 32 of the Convention. The full text of the declarations and reservations made by States parties can be found at http://treaties.un.org.

[b] Accession.